PHILIP MORRIS U.S.A.
INTER-OFFICE CORRESPONDENCE
100 Park Avenue, New York, N.Y. 10017

Weissman
Copy to Berger
Sam Lucas

Mr. George Weissman

Date: October 1, 1970

From: Ross R. Millhiser

FTC

Subject: Comments on Proposed Industry Agreement on Advertising Disclosure of Federal Trade Commission Test Determinations of Tar and Nicotine Content

Attached are my comments on the above.

As now proposed, I feel Philip Morris products are at a substantial disadvantage. It is on this basis I have stated my comments in the form of objections to the proposal as I understand it now stands under the date of September 29, 1970.

This report lists a number of observations on the current negotiations with the FTC. However, one item is of utmost importance, and it is imperative that it be corrected. That is the matter of the singular exemption of Point-of-Sale materials from the tar and nicotine listing requirements.

Originally, outdoor advertising and point-of-sale advertising were scheduled to be excluded, and treating those two media similarly seemed consistent. Outdoor, but not point-of-sale, was subsequently included with other media for the required listings.

The singular exemption of point-of-sale is a tremendous disadvantage to Philip Morris. R. J. Reynolds, with its thousands of carton and single-pack racks advertising their brands and with their vastly larger sales force, would enjoy a dramatic advantage over us. This point-of-sale exemption is tailored for Reynolds.

How can there be a logical distinction between an indoor sign and an outdoor sign?

Any agreement by Philip Morris to an industry proposal that singles out point-of-sale as an exemption would be destructive to our marketing efforts and under no circumstances should be considered.

I recommend that all point-of-sale materials, without discrimination, be included in the listing requirements.

RRM:dk

cc: Messrs. J. C. Bowling, T. F. Ahrensfeld, D. R. Hardy, W. W. Shinn

1005046049

Source: https://www.industrydocuments.ucsf.edu/docs/rydj0000